

LAND USE AND ZONING COMMITTEE

Minutes May 24, 2007

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 6:58 p.m.

The following members were present: Messrs. Hullihen, Haycox, Terriaco, and Messes. Ross and Diak. Staff: David Radachy

There was one case.

LeRoy Township Text Amendment, R-2, Rural Residential

Staff explained that this text amendment would create a three-acre minimum lot size and a 200-foot frontage zoning district. This zoning district would have similar permitted uses, accessory uses, and conditional uses as the R-1. The R-2 district will utilize an increased front setback of 100 feet from the ROW and the same rearline and sideline clearances. The building heights will be the same as in the R-1 district. The R-2 district will use the new table format to show the development standards. The R-2 district will also add a new site considerations section for environmental concerns and access management.

Staff explained that the LeRoy Township Comprehensive Plan recommends the creation of two new residential zoning districts with minimum lot sizes that are larger than the current R-1 district. The districts would be applied in areas where the carrying capacity of the land is lower because of limited groundwater supply and road access in order to protect environmentally sensitive areas and preserve the secluded nature of the eastern portion of the township. The "Residential – Grand River" zoning district, with a minimum lot size of three to five acres (1.2 to 3 hectares), would protect the Grand River riparian corridor. The Residential – rural" zoning district, with a minimum lot size of two to four acres (0.8 to 1.6 hectares), is recommended for the area east of the Hells Hollow Wilderness area, and in areas with limited groundwater resources.

Staff stated that there were four issues with this district:

1. The garage sale section 16.04.7 is too specific on names and does not have language to include similar sales with a different name.
2. Section 16.07 Site Considerations: This section does not reflect the Township's future ability to have access management rules.
3. The increased setback may create non-conforming structures. There are many homes that were built at a 50-foot setback.
4. Section 16.06 Lots established prior to zoning. This section only references 100-foot frontage lots and does not address 1.5 acre, and/or 150-foot frontage lots that will be made non-conforming when the district change is made.

Staff recommended the following:

1. Add a definition of Personal Property Sale to the definition section: The sale or offering for sale to the general public personal property on any portion of a lot in a residential

zoning district, whether within or outside any building. These sales can be known as, but limited to, garage, lawn, barn, yard, porch, basement, attic, room, rummage, or patio sales. Change the name of Section 16.04 7 to Personal Property Sale and change all references to Personal Property Sale.

2. Add the township into Section 16.07 2 because they could create their own access management rules.
3. The Township should review the effect of a 100-foot setback will have on existing structures. The Township may want to consider another setback between 50 and 100 feet that would move structures away from the right-of-way and achieve their desired effect.
4. Acknowledge that the existing 150 foot and/or 1.5 acre lots are buildable in Section 16.06. The Township may want to consider setting up development standards for them in Section 16.06.

The committee liked the increased setback. Staff acknowledge that the reason LeRoy Township was increasing the setback was to maintain the rural character of the community. Staff was concerned about existing structures becoming non-conforming.

Mr. Terriaco made a motion to recommend the text amendment with staff's suggestions.
Mr. Haycox seconded the motion.

All voted "Aye".

Motion passed.

Meeting was adjourned at 7:06 PM.